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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

2011-252

12 **KATHERINE MARIE CRADDOCK**
13 7002 La Cuesta Lane
14 Citrus Heights, California 95621

A C C U S A T I O N

15 **Registered Nurse License No. RN 241432**
16 **Public Health Nurse Certification No. 19466**

17 Respondent.

18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Interim
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 **Registered Nurse License**

24 2. On or about February 28, 1974, the Board issued Registered Nurse License Number
25 241432 to Katherine Marie Craddock ("Respondent"). The license was in full force and effect at
26 all times relevant to the charges brought herein and will expire on July 31, 2011, unless renewed.

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1 **Public Health Nurse Certification**

2 3. On or about May 17, 1974, the Board issued Public Health Nurse Certification
3 Number 19466 Respondent. The license was in full force and effect at all times relevant to the
4 charges brought herein and will expire on July 31, 2011, unless renewed.

5 **JURISDICTION**

6 4. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
7 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
8 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
9 Practice Act.

10 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
11 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
12 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board
13 may renew an expired license at any time within eight years after the expiration.

14 **STATUTORY PROVISIONS**

15 6. Code section 2761 states, in pertinent part:

16 "The board may take disciplinary action against a certified or licensed nurse or deny an
17 application for a certificate or license for any of the following:

18 (a) Unprofessional conduct.

19 (f) Conviction of a felony or of any offense substantially related to the qualifications,
20 functions, and duties of a registered nurse, in which event the record of the conviction shall be
21 conclusive evidence thereof."

22 7. Code section 2762 states, in pertinent part:

23 "In addition to other acts constituting unprofessional conduct within the meaning of this
24 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
25 chapter to do the following:

26 (b) Use any controlled substance as defined in Division 10 (commencing with Section
27 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
28 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to

1 himself or herself, any other person, or the public or to the extent that such use impairs his or her
2 ability to conduct with safety to the public the practice authorized by his or her license.

3 (c) Be convicted of a criminal offense involving the prescription, consumption, or self-
4 administration of any of the substances described in subdivisions (a) and (b) of this section, or the
5 possession of, or falsification of a record pertaining to, the substances described in subdivision (a)
6 of this section, in which event the record of the conviction is conclusive evidence thereof."

7 **COST RECOVERY**

8 8. Code section 125.3 provides, in pertinent part, that the Board may request the
9 administrative law judge to direct a licentiate found to have committed a violation or violations of
10 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
11 enforcement of the case.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Conviction of a Crime)**

14 9. Respondent is subject to discipline under Code section 2761(f), in that on or about
15 May 6, 2008, in the case of *People v. Katherine Marie Craddock*, (Super. Ct. Placer County, Case
16 No. 62-79843), Respondent was convicted by the Court on her plea of nolo contendere of
17 violating Vehicle Code section 23152(a) (driving while under the influence of drugs), a crime that
18 is substantially related to the qualifications, functions or duties of a licensed registered nurse. The
19 circumstances of the crime was that on or about February 15, 2008, Respondent drove a vehicle
20 while under the influence of drugs.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Dangerous Use of Drugs)**

23 10. Respondent is subject to discipline under Code sections 2761(a), on the grounds of
24 unprofessional conduct, as defined in Code section 2762(b), in that on or about
25 February 15, 2008, Respondent used drugs to an extent or in a manner dangerous or injurious to
26 herself and the public when she operated a vehicle while impaired.

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